

FORM PTO-1390 (Modified)  
(REV. 07-2004)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

51996/RRP/S275

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

To be assigned **10/516828**

INTERNATIONAL APPLICATION NO.  
**PCT/US2004/009694**

INTERNATIONAL FILING DATE  
**29 March 2004 (29.03.04)**

PRIORITY DATE CLAIMED  
**28 March 2003 (28.03.03)**

TITLE OF INVENTION

**UNITIZED HYBRID ROCKET SYSTEM**

APPLICANT(S) FOR DO/EO/US

**Elbert L. Rutan**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV351244402US**
23. ☒ Other items or information:

**Unexecuted Declaration and Power of Attorney  
Annotated Figures 1 and 5  
Replacement Figures 1 and 5**

|  |  |   |  |   |  |
|--|--|---|--|---|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>To be assigned 12/516828</b> |  | INTERNATIONAL APPLICATION NO.<br><b>PCT/US2004/009694</b> |  | ATTORNEY'S DOCKET NUMBER<br><b>51996/RRP/S275</b> |  |
|--|--|---|--|---|--|

|   |   |                     |                          |                                  |           |
|---|---|---------------------|--------------------------|----------------------------------|-----------|
| 24. The following fees are submitted:.  |   |                     |                          | <b>CALCULATIONS PTO USE ONLY</b> |           |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</b>  |   |                     |                          |                                  |           |
| <input type="checkbox"/>  | Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... |                     | <b>\$1110.00</b>         |                                  |           |
| <input type="checkbox"/>  | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....   |                     | <b>\$950.00</b>          |                                  |           |
| <input checked="" type="checkbox"/>   | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....  |                     | <b>\$790.00</b>          |                                  |           |
| <input type="checkbox"/>  | International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....   |                     | <b>\$750.00</b>          |                                  |           |
| <input type="checkbox"/>  | International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....   |                     | <b>\$100.00</b>          |                                  |           |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |   |                     |                          | <b>\$790.00</b>                  |           |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). |   |                     |                          | <b>\$130.00</b>                  |           |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b>   | <b>NUMBER EXTRA</b> | <b>RATE</b>              |                                  |           |
| Total claims  | 7 - 20 =  | 0                   | x \$18.00                | <b>\$0.00</b>                    |           |
| Independent claims  | 1 - 3 =   | 0                   | x \$88.00                | <b>\$0.00</b>                    |           |
| Multiple Dependent Claims (check if applicable).  |   |                     | <input type="checkbox"/> | <b>\$0.00</b>                    |           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   |                     |                          | <b>\$920.00</b>                  |           |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |   |                     |                          | <b>\$460.00</b>                  |           |
| <b>SUBTOTAL =</b>   |   |                     |                          | <b>\$460.00</b>                  |           |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).       |   |                     |                          | <b>\$0.00</b>                    |           |
| <b>TOTAL NATIONAL FEE =</b>   |   |                     |                          | <b>\$460.00</b>                  |           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).   |   |                     | <input type="checkbox"/> | <b>\$0.00</b>                    |           |
| <b>TOTAL FEES ENCLOSED =</b>  |   |                     |                          | <b>\$460.00</b>                  |           |
|   |   |                     |                          | <b>Amount to be:</b>             | <b>\$</b> |
|   |   |                     |                          | <b>refunded</b>                  |           |
|   |   |                     |                          | <b>charged</b>                   | <b>\$</b> |

a. ☒ A check in the amount of **\$460.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **03-1728**

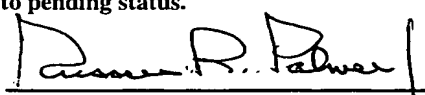
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number: 23363

Russell R. Palmer, Jr.  
CHRISTIE, PARKER & HALE, LLP  
P.O. Box 7068  
Pasadena, California 91109-7068  
United States of America

  
 SIGNATURE  
 Russell R. Palmer  
 NAME  
 22,994  
 REGISTRATION NUMBER  
 December 3, 2004  
 DATE